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Attorneys for Defendant

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF YAVAPAI

STATE OF ARIZONA

Plaintiff,

vs.

STEVEN CARROLL DEMOCKER,

Defendant.

No. P1300CR20081339

MOTION TO EXCEED PAGE
LIMIT

Pursuant to Rule 35.1(b) of the Arizona Rules of Criminal Procedure, Defendant Steven DeMocker requests that this Court permit his counsel to exceed the 10 page limit in his Omnibus Motion. In support thereof, counsel hereby states as follows:

1. Counsel are filing a comprehensive motion challenging several aspects of the death penalty generally and the Arizona death penalty statute in particular.
2. Counsel have previously informed the Court and the State that this motion was forthcoming.

SUPERIOR COURT
YAVAPAI COUNTY, ARIZONA

2010 FEB 16 PM 4:12
JEANNE HICKS, CLERK

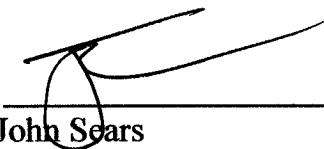
BY: Shaunna Kelbaugh

- 1 3. The motion contains the results and explanation of original research
2 undertaken by counsel into the death penalty charging practices in the State of
3 Arizona.
4
5 4. In the interest of judicial economy, the arguments in the motion are best
6 considered comprehensively by the Court.
7
8 5. The motion is fifty-three (53) pages.

9 For these reasons Mr. DeMocker respectfully requests that the Court permit him
10 to exceed the page limit in his Omnibus Motion. A proposed order is attached.

11 DATED this 16th day of February, 2010.

12 By


13 John Sears
14 P. O. Box 4080
15 Prescott, Arizona 86302

16 OSBORN MALEDON, P.A.
17 Larry A. Hammond
18 Anne M. Chapman
19 2929 N. Central Avenue, Suite 2100
20 Phoenix, Arizona 85012-2793
21 Attorneys for Defendant

22 **ORIGINAL** of the foregoing hand delivered for
23 filing this 16th day of February, 2010, with:

24 Jeanne Hicks
25 Clerk of the Court
26 Yavapai County Superior Court
27 120 S. Cortez
28 Prescott, AZ 86303

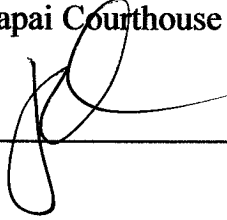
COPIES of the foregoing hand delivered this
this 16th day of February, 2010, to:

The Hon. Thomas B. Lindberg
Judge of the Superior Court

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Division Six
120 S. Cortez
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Joseph C. Butner, Esq.
Yavapai Courthouse Box

A handwritten signature in black ink, appearing to read 'J. Butner', is written over a horizontal line that spans the width of the text area.